

**From:** [REDACTED]  
**To:** [SizewellC](#)  
**Cc:** [REDACTED]  
**Subject:** SZC - registration for Preliminary meeting  
**Date:** 10 March 2021 20:33:43  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[SUMMARY OF PRINCIPAL ISSUES \(002\).pdf](#)

---

Dear Madam/Sir

Please find attached greater detail on the principal issues submitted by Gregory Jones QC on behalf of our clients, as there was insufficient space available through the registration process.

Clients interested registration numbers are as follows.

20026375  
SIZE-AFP153  
SIZE-AFP242  
SIZE-AFP155  
SIZE-AFP154  
20025763  
20025762  
20025766  
20026598  
20026043  
20026079

I trust self explanatory but please do not hesitate to contact me if you require any clarification

Regards

Jane

**Jane Kenny DipSurv MRICS FAAV**  
**Rural Surveyor**  
**Consultant**

Savills, Lawrence House, 5 St Andrews Hill, Norwich, NR2 1AD

[REDACTED] [savills.com](#)  
Website: [www.savills.co.uk](http://www.savills.co.uk)



Before printing, think about the environment

NOTICE: This email is intended for the named recipient only. It may contain privileged and confidential information. If you are not the intended recipient, notify the sender immediately and destroy this email. You must not copy, distribute or take action in reliance upon it. Whilst all efforts are made to safeguard emails, the Savills Group cannot guarantee that attachments are virus free or compatible with your systems and does not accept liability in respect of viruses or computer problems experienced. The Savills Group

reserves the right to monitor all email communications through its internal and external networks.

For information on how Savills processes your personal data please see our [privacy policy](#)

Savills plc. Registered in England No 2122174. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills plc is a holding company, subsidiaries of which are authorised and regulated by the Financial Conduct Authority (FCA)

Savills (UK) Limited. A subsidiary of Savills plc. Registered in England No 2605138. Regulated by RICS. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills Advisory Services Limited. A subsidiary of Savills plc. Registered in England No 06215875. Regulated by RICS. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills Commercial Limited. A subsidiary of Savills plc. Registered in England No 2605125. Registered office: 33 Margaret Street, London, W1G 0JD.

Martel Maides Limited (trading as Savills). A subsidiary of Savills plc. Registered in Guernsey No. 18682. Registered office: 1 Le Truchot, St Peter Port, Guernsey GY1 1WD . Registered with the Guernsey Financial Services Commission. No. 57114.

We are registered with the Scottish Letting Agent Register, our registration number is LARN1902057.

Please note any advice contained or attached in this email is informal and given purely as guidance unless otherwise explicitly stated. Our views on price are not intended as a formal valuation and should not be relied upon as such. They are given in the course of our estate agency role. No liability is given to any third party and the figures suggested are in accordance with Professional Standards PS1 and PS2 of the RICS Valuation –Global Standards (incorporating the IVSC International Valuation Standards) effective from 31 January 2020 together, the "Red Book". Any advice attached is not a formal ("Red Book") valuation, and neither Savills nor the author can accept any responsibility to any third party who may seek to rely upon it, as a whole or any part as such. If formal advice is required this will be explicitly stated along with our understanding of limitations and purpose.

**BEWARE OF CYBER-CRIME:** Our banking details will not change during the course of a transaction. Should you receive a notification which advises a change in our bank account details, it may be fraudulent and you should notify Savills who will advise you accordingly.

## **SUMMARY OF PRINCIPAL ISSUES**

### **[A] ISSUES RE OVERALL ADVERSE IMPACTS OF SIZEWELL C DEVELOPMENT**

#### **Compulsory Acquisition and Compelling Case Requirement**

- The DCO seeks powers to acquire compulsorily so much of the Order land as is required for the authorised development, or to facilitate, or is incidental to it.
- Further, relevant guidance as to negotiations either before or parallel with formal processes may well give rise to a "legitimate expectation" that such will occur, and a failure to conduct such negotiations deprives landowners of the benefit that negotiations may have brought, especially in relation to where different locations and lesser rights might have been achieved.
- In breach of guidance and case law (as well as Article 8 European Convention of Human Rights and the First Protocol to the Convention) no meaningful negotiations have taken place alongside the formal procedures for compulsory purchase. Therefore a compelling case cannot be made.

#### **Adverse Impacts on Farm Holdings and Businesses**

- Adverse consequences of the loss of agricultural land and of field severance, as well as impact of loss of land, associated businesses and employment and the overall viability of holdings.

- Adverse effects on homes and family life and property (Article 8 of the European Convention of Human Right and the First Protocol to the Convention).

### **Inadequate Environmental Impact Assessment**

- Defective environmental impact assessment in particular in respect of mitigation, assessment of cumulative, indirect and medium and long term effects.
- Failure to provide description or assessment of the various impacts detailed elsewhere, e.g. drainage, hydrology, soils, noise, lighting, dust etc. as well as inadequate assessment of socio-economic impacts. Failure to assess adequately alternatives (including alternative to SLR).

### **Ecology**

- Failure to comply with requirement of Habitats Regulations and other statutory and international Wildlife Habitat and Species Protection.
- Absence of adequate data on impact on protected species. Such data should already be available to have helped shape the design of the project and avoid harm (but e.g. 'Bat Crossing Point' surveys are planned to carry out only in October 2021 and 'Wintering Bird Surveys' still to be carried out).

### **Hydrology and Flooding**

- Inadequate assessment of the adverse impacts of increase in surface run off of water from car parks, new roads, sidings, construction compounds and the main construction site and adverse hydrological impacts on grazing marsh and grazing fen land including upon land within SSSI.
- The area is drained via a network of rivers and ditches to the Minsmere New Cut which takes water out to sea. The New Cut relies on a tidal sluice to let water out at low tide and stop sea water coming back into the drainage system at high tide.
- There has been a failure to demonstrate that this finely balanced drainage system would not be overwhelmed by the runoff from significantly increased areas of impermeable surfaces, such as roads, car parks, accommodation blocks, freight handling facilities and the main 32ha site making itself make marsh areas unviable for livestock grazing. There is already an increased inland water pressure on drainage systems used by farms against a backdrop of rising sea levels raises concerns of rising inland water levels.
- Any failure of the drainage system or breach of sea defences would lead to serious implications in terms of biodiversity, productivity and value. The amount of irrigation water currently abstracted from this drainage basin does not become saline due to effects on coastal defence and in particular the Minsmere Sluice. The value of this irrigation water to the farms is huge.

### **Construction Compound Sites**

- Failure to justify size and location of construction compound sites and assess their consequences, particularly, those within Schedule 17.

### **Balance Ponds**

- Failure to justify size and location of balance ponds are required and where these are to be located and assess their consequences.

### **Creation of Public Rights of Way**

- Adverse impact of the powers to create new public rights of way (PRoW) including the creation of cycle tracks and bridleways. Proposed new public rights of way will take further land out of agricultural production and other related uses with consequential adverse impacts. The Applicant should not be authorised to acquire more land than is needed for the scheme itself.

### **Borrow Pits, Waste and Spoil**

- Failure to justify how waste and spoil is to be treated or assess its consequences. In particular (but not only) on the field adjacent to Theberton House, a Grade 2 listed building with historic parkland, which has been identified for borrow pits. No details have been provided about the type of works, reinstatement or use post construction or mitigation. No assessment has been made of the adverse effect on the ability to farm and use the land for associated activities in respect of adjoining/surrounding arable land and associated uses.

### **Heritage and Light Pollution**

- Adverse impact of lighting and roundabouts upon in particular (but not only) Theberton House, a Grade 2 listed building and its separately listed gates.

There is an absence of adequate assessment of impact as well as an absence of proposed mitigation.

### **Private Water Supply**

- Failure to demonstrate that farms and associated homes and businesses would be guaranteed a permanent water supply to replace their private borehole/well supplies if they are contaminated or supply is affected in anyway during the construction of the project or after construction.
- In addition, no information has been found within the Code of Construction on how water supplies if contaminated or cut off on a temporary or permanent basis would be reinstated as part of the DCO application.

### **Field Drainage**

- Failure to demonstrate that pre and post construction that proper land drainage, e.g. no details have been provided as to proposed treatment of field drainage during construction and how field drainage reinstatement will be carried out post construction.
- Failure to demonstrate the need for a pumping station and rising main on the west side of the railway bridge in Area1 to pump surface water over the railway bridge to the eastern side to be discharged (Consultation Doc 18<sup>th</sup> November, 2020 Section: 5.3.11)

### **Soils**

- Failure to demonstrate that there is, pre and post construction proper treatment, reinstatement and aftercare of soil.

### **Dust/Irrigation**

- Failure to demonstrate that there are pre and post construction measures to ensure that dust is adequately addressed and further that the crops can continue to be properly irrigated..

### **Funding**

- Failure to demonstrate there are sufficient funds, not only carry out the proposed development itself but also enough to pay all compensation, as well as, to fund all necessary mitigation and compensation works

## **[B] ISSUES PARTICULAR TO SIZEWELL LINK ROAD (“SLR”)**

### **Highways**

- Failure to demonstrate need for SLR at all.
- Failure to demonstrate sustainability of SLR. (including, use of rail and sea).
- Failure to demonstrate the suitability of the road junctions on/off the new SLR.
- Adverse impacts on road safety at peak times of shift change and HGV movements early/mid/late in the working day.
- Creation of ‘rat runs’ where the new road links into local road network in particular to some of the local minor roads which are very narrow.
- Unviability of decision to close off access to Pretty Road from the B1122.



- Inadequate consideration of impacts of linking the B1125 to the proposed SLR which is likely to cause traffic from the north to cut through from the A12 at Blythburgh. This will result in increased traffic volumes in villages of Westleton and Middleton is highly questionable.
- Suitability of the configuration of the junction onto Fordley Road.
- Inadequate assessment of impacts of SLR e.g. upon Yoxford and roundabout outside main development (nr. Theberton House).
- Failure to demonstrate SLR preferable to alternatives.
- Failure to demonstrate legacy benefit of SLR – in alternative, need to remove SLR following completion of construction with the land being reinstated to agricultural use;
- Associated adverse impacts of noise, air, dust and lighting. Failure to provide adequate mitigation.
- Drainage and severance.

### **Adverse Impacts on Farm Holdings and Businesses**

- Adverse consequences of the loss of agricultural land and of field severance as well as impact of loss of land for associated businesses.

### **Adverse Impacts of Lighting**

- Adverse impact of lighting along the SLR will be adverse. There has been a failure properly assess its impact or to mitigate its effects.

### **Ecological Impacts**

- Adverse ecological issues to include the Applicant's predictions of impact on terrestrial biodiversity/ecological interests along and beside the route of the

proposed link road should be the subject of scrutiny on the basis of what are considered to be shortfalls in:

- The surveys and studies scoped in for, and conducted along, the proposed route of the link road.
- The evaluation of those survey and study results.
- The assessment of those survey and study results and the judgements made on the severity of impacts.
- The proposed mitigation of identified impacts and the mitigation of omitted biodiversity/ecological interests, effects or impacts.
- The proposed delivery of the identified mitigation in terms of relevance and practicality.

### **Heritage Issues**

Adverse impact on setting of heritage assets including:

- listed buildings
- conservation areas and
- other heritage assets.